

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JANE DOE 1, JANE DOE 2, JANE DOE 3,)
and JANE DOE 4,)
))
Plaintiff,)
))
v.) Nos. 1:23-cv-01302-JRS-MKK
) 1:23-cv-01303-JRS-MKK
BUTLER UNIVERSITY,) 1:23-cv-01306-JRS-MKK
MICHAEL HOWELL, and) 1:23-cv-01457-JRS-MKK
RALPH REIFF,)
))
Defendants.)

Order of Consolidation

These are substantially similar cases in which four female student-athletes who play or played soccer for Butler University allege that former Butler athletic trainer Michael Howell groomed, sexually assaulted, and battered them. A Title IX investigation resulted in the determination that Howell had sexually harassed and assaulted Plaintiffs. Plaintiffs allege that Butler and Butler's Senior Associate Athletic Director for Student-Athlete Health, Performance and Well-Being, Ralph Reiff, failed to properly supervise, train, and otherwise prevent or stop Howell's misconduct against them. Plaintiffs advance the same theories against each Defendant and seek similar remedies. These cases present common questions of law and fact. While the facts as to each Plaintiff will differ as to specific details, the overall factual situation will be the same. As a result, the evidence and witnesses for each case are likely to overlap. Consolidation will prove beneficial and streamline the litigation without causing undue prejudice.

The parties have agreed to consolidate the cases for discovery. *Jane Doe 1 v. Butler University, et al.* is the lowest numbered case. The Court now, sua sponte, and in the interests of judicial economy, efficiency, consistency, and the avoidance of unnecessary costs to the litigants, **consolidates** these cases for all purposes. Fed. R. Civ. P. 42(a); *Connecticut Gen. Life Ins. Co. v. Sun Life Assur. Co. of Canada*, 210 F.3d 771, 774 (7th Cir. 2000) (observing district court's power to order consolidation sua sponte and, if necessary, over parties' objections); cf. *Disher v. Citigroup Glob. Markets, Inc.*, 487 F. Supp. 2d 1009, 1013 (S.D. Ill. 2007) (collecting cases). It is further **ordered** that:

1. *Jane Doe 1* (Case No. 1:23-cv-01302), *Jane Doe 2* (Case No. 1:23-cv-01303), *Jane Doe 3* (Case No. 1:23-cv-01306), and *Jane Doe 4* (Case No. 1:23-cv-01457) be consolidated into one action for all purposes under the following caption:

JANE DOES 1–4,

Plaintiffs,

v.

No. 1:23-cv-01302-JRS-MKK

BUTLER UNIVERSITY,
MICHAEL HOWELL, and
RALPH REIFF,

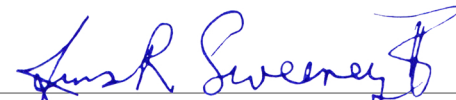
Defendants.

2. The Clerk **shall** change the caption name in the consolidated case, Case No. 1:23-cv-01302, accordingly.

3. The Clerk is **directed** to close the three related cases (Case Nos. 1:23-cv-01303, 1:23-cv-01306, and 1:23-cv-01457) after consolidation.
4. All papers and pleadings shall be captioned under the consolidated case name and number. Should any paper or pleading be intended to apply to some but not all of the cases consolidated in this matter, that limitation should be apparent from the face of the paper or pleading.
5. A single case docket shall be maintained after the entry of this Order of Consolidation in each of these four cases. If consolidation is terminated, then documents filed after the order terminating consolidation shall be filed and docketed in the separate cases.

SO ORDERED.

Date: 11/16/2023



JAMES R. SWEENEY II, JUDGE
United States District Court
Southern District of Indiana

Distribution:

Magistrate Judge Klump

To registered counsel of record by CM/ECF